

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

LATOYA BROWN; LAWRENCE  
BLACKMON; HERBERT ANTHONY  
GREEN; KHADAFY MANNING;  
QUINNETTA MANNING; MARVIN  
MCFIELD; NICHOLAS SINGLETON;  
STEVEN SMITH; BESSIE THOMAS; and  
BETTY JEAN WILLIAMS TUCKER,  
individually and on behalf of a class of all  
others similarly situated,

Plaintiffs,

v.

MADISON COUNTY, MISSISSIPPI;  
SHERIFF RANDALL S. TUCKER, in his  
official capacity; and MADISON COUNTY  
SHERIFF'S DEPUTIES JOHN DOES #1  
through #6, in their individual capacities,

Defendants.

Civil Action No.  
3:17-cv-00347-WHB-LRA

**JOINT MOTION FOR  
EXTENSION OF DEADLINES**

Plaintiffs and Defendants (collectively, the “Parties”) respectfully submit this Joint Motion for extension of deadlines in connection with certain motions recently filed by Defendants (“Joint Motion”). In support of this Joint Motion, the Parties would show as follows:

1. On August 9, 2017, this Court entered a Case Management Order concerning class certification related discovery (ECF No. 30). The deadlines for class certification-related discovery and for Plaintiffs to file their motion for class certification were extended to February 16, 2018 and March 14, 2018, respectively, by further Order of this Court dated January 18, 2018 (ECF No. 169).

2. On February 27, 2018, this Court entered a further Stipulated Scheduling Order concerning the schedule for briefing and expert discovery on Plaintiffs' motion for class certification (ECF No. 202). Pursuant to this Order, Plaintiffs' motion for class certification was filed on March 14, 2018 (ECF Nos. 231-32). Defendants' opposition to the motion for class certification is due on May 8, 2018, and Plaintiffs' Reply is due on July 2, 2018.

3. Defendants have recently filed six Motions for Summary Judgment, each concerning the claims of an individual named Plaintiff. The first two summary judgment motions were filed on March 7, 2018 (ECF Nos. 209-10, 211-12), with their supporting memoranda re-filed on March 14, 2018 (ECF Nos. 233-34). Three more summary judgment motions were filed on March 12, 2018 (ECF Nos. 218-19, 220-21, 222-23), and another was filed on March 14, 2018 (ECF Nos. 228-29). Defendants have advised Plaintiffs that they intend to file motions for summary judgment concerning the claims of the two named Plaintiffs against whom such motions have not yet been filed.

4. On March 14, 2018, Defendants also filed a Motion to Deny Class Certification (ECF Nos. 237-38).

5. In light of the number of recently-filed and anticipated motions (the "Defense Motions"), the Parties respectfully request that the Court extend the deadlines for Plaintiffs to respond to the Defense Motions by 21 days, and grant Defendants 21 days to file any rebuttal to any responses filed by Plaintiffs.

6. The Parties now jointly submit that good cause exists for entry of the proposed Order, reflecting the foregoing agreement of the Parties, in the form attached hereto as **Exhibit A**, and therefore respectfully request that the Court approve and adopt this proposed Order as an Order of the Court.

7. The Parties reserve all rights, claims, and defenses, both procedural and substantive, with respect to all pending motions and other matters, and this Joint Motion does not constitute a waiver or concession with respect to any such right, claim, or defense.

Dated: March 16, 2018

By: /s/ Joshua Tom  
Joshua Tom

AMERICAN CIVIL LIBERTIES UNION  
OF MISSISSIPPI FOUNDATION  
Joshua Tom (MSB #105392)  
233 East Capitol Street  
Jackson, MS 39201  
(601) 354-3408  
JTom@aclu-ms.org

AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION  
Ezekiel Edwards (*pro hac vice*)  
Jeffery Robinson (*pro hac vice* forthcoming)  
125 Broad Street  
New York, NY 10004  
(212) 549-2610  
eedwards@aclu.org  
jrobinson@aclu.org

SIMPSON THACHER & BARTLETT LLP  
Jonathan K. Youngwood (*pro hac vice*)  
Janet A. Gochman (*pro hac vice*)  
Isaac Rethy (*pro hac vice*)  
Kavitha S. Sivashanker (*pro hac vice*)  
Nihara K. Choudhri (*pro hac vice*)  
Christopher Shields (*pro hac vice*)  
Brooke Jarrett (*pro hac vice*)  
Christopher Jumin Lee (*pro hac vice*)  
425 Lexington Avenue  
New York, NY 10017  
(212) 455-2000  
jyoungwood@stblaw.com  
jgochman@stblaw.com  
irethy@stblaw.com  
kavitha.sivashanker@stblaw.com

By: /s/ Charles E. Ross  
Charles E. Ross

WISE CARTER CHILD & CARAWAY, P.A.  
Michael B. Wallace (MSB #6904)  
Charles E. Ross (MSB #5683)  
James E. Graves (MSB #102252)  
Charles E. Cowan (MSB #104478)  
Post Office Box 651  
Jackson, Mississippi 39205-0651  
Telephone: 601-968-5534  
Facsimile: 601- 944-7738  
mbw@wisecarter.com  
cer@wisecarter.com  
jeg@wisecarter.com  
cec@wisecarter.com

and

WISE CARTER CHILD & CARAWAY, P.A.  
T. Russell Nobile (MSB #100682)  
2510 14th Street, Suite 1125  
Gulfport, Mississippi 39501  
Telephone: 228-867-7141  
Facsimile: 228-867-7142  
trn@wisecarter.com

OF COUNSEL:

CURRIE JOHNSON & MYERS, P.A.  
Rebecca B. Cowan (MSB #7735)  
1044 River Oaks Dr.  
Jackson, MS 39232  
P.O. Box 750  
Jackson, Mississippi 39205-0750  
Telephone: 601-969-1010  
Facsimile: 601-969-5120

nchoudhri@stblaw.com  
christopher.shields@stblaw.com  
bonnie.jarrett@stblaw.com  
christopherjumin.lee@stblaw.com

*Attorneys for Plaintiffs*

bcowan@curriejohnson.com  
**KATIE BRYANT SNELL, PLLC**  
Katie Bryant Snell (MSB #103607)  
P.O. Box 3007  
Madison, Mississippi 39130-3007  
Telephone: 601-460-9800  
katie@katiebryantsnell.com

**PETTIS, BARFIELD & HESTER, P.A.**  
J. Lawson Hester (MSB #2394)  
4450 Old Canton Road, Suite 210  
Jackson, Mississippi 39211  
Telephone: (601) 987-5300  
Facsimile: (601) 987-5353  
lhester@pbhfirm.com

*Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on March 16, 2018, I caused the foregoing **JOINT MOTION FOR EXTENSION OF DEADLINES** to be electronically filed with the Clerk of the Court using the CM/ECF system, which has generated and delivered electronic notice of filing to all counsel of record who have consented to electronic service.

*/s/ Joshua Tom*

Joshua Tom

## **EXHIBIT A**

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

LATOYA BROWN; LAWRENCE  
BLACKMON; HERBERT ANTHONY  
GREEN; KHADAFY MANNING;  
QUINNETTA MANNING; MARVIN  
MCFIELD; NICHOLAS SINGLETON;  
STEVEN SMITH; BESSIE THOMAS; and  
BETTY JEAN WILLIAMS TUCKER,  
individually and on behalf of a class of all  
others similarly situated,

Plaintiffs,

v.

MADISON COUNTY, MISSISSIPPI;  
SHERIFF RANDALL S. TUCKER, in his  
official capacity; and MADISON COUNTY  
SHERIFF'S DEPUTIES JOHN DOES #1  
through #6, in their individual capacities,

Defendants.

Civil Action No.  
3:17-cv-00347-WHB-LRA

**[PROPOSED] ORDER EXTENDING DEADLINES**

The Court has considered the Joint Motion filed by the Parties seeking an extension of deadlines in connection with certain motions recently filed by Defendants. The Motion is GRANTED.

1. The deadlines for Plaintiffs to respond to the following motions are extended by 21 days from the respective deadlines applicable to each such motion under Local Rule 7(b)(4) (*i.e.*, 35 days in total for each motion):
  - a. Motion for Summary Judgment as to Individual and Class Based Claims of Plaintiff Latoya Brown, ECF Nos. 209-210 (March 7, 2018), *revised memorandum filed with leave of Court*, ECF No. 233 (March 14, 2018).

- b. Motion for Summary Judgment as to Individual and Class Based Claims of Plaintiff Steven Smith, ECF Nos. 211-212 (March 7, 2018), *revised memorandum filed with leave of Court*, ECF No. 234 (March 14, 2018).
- c. Motion for Summary Judgment as to Individual and Class Based Claims of Plaintiff Betty Jean Williams Tucker, ECF Nos. 218-219 (March 12, 2018).
- d. Motion for Summary Judgment as to Individual and Class Based Claims of Plaintiff Bessie Thomas, ECF Nos. 220-221 (March 12, 2018)
- e. Motion for Summary Judgment as to Individual and Class Based Claims of Plaintiff Nicholas Singleton, ECF Nos. 222-223 (March 12, 2018).
- f. Motion for Summary Judgment as to Individual and Class Based Claims of Plaintiff Lawrence Blackmon, ECF Nos. 228-229 (March 14, 2018).
- g. Motion to Deny Class Certification, ECF Nos. 237-238 (March 14, 2018).

2. The deadlines for Plaintiffs to respond to any Motions for Summary Judgment to be filed by Defendants as to claims by Plaintiff Khadafy Manning and/or Plaintiff Quinnetta Manning are also hereby extended by 21 days from the respective deadlines that would otherwise be applicable to each such motion under Local Rule 7(b)(4) (*i.e.*, 35 days in total for each motion).

3. Defendants shall be afforded 21 days to file any rebuttals to any responses filed by Plaintiffs in opposition to the motions set forth in Paragraphs 2 and 3, above.

4. The deadlines set forth in the Stipulated Scheduling Order entered by the Court on February 27, 2018 (ECF No. 202) are unaffected by this Order.

SO ORDERED in the United States District Court for the Southern District of Mississippi, Northern Division, this \_\_\_\_\_ day of March, 2018.

---

WILLIAM H. BARBOUR, JR.  
UNITED STATES DISTRICT JUDGE